



## **BRIEFING: MARCH 2013 BOARD MEETING AGENDA ITEM #2**

**TO: Chairman Richard and Board Members**

**FROM: Thomas Fellenz, Chief Counsel**

**RE: Peninsula Corridor JPB/CHSRA MOU Approval**

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### **Background**

The Peninsula Corridor Joint Powers Board (JPB) and the CHSRA are in a partnership to share the peninsula rail corridor to provide commuter and high-speed rail services. The existing 2004 Memorandum of Understanding (MOU) and 2009 Agreement and Amendment to the agreement are outdated. A new/updated agreement is needed to reflect current policies defined in the 2012 CHSRA Business Plan, the 2012 Metropolitan Transportation Commission (MTC) 9-party MOU and the HSR Early Investment Strategy for a Blended System in the Peninsula Corridor. The purpose of the new/updated agreement (ATTACHMENT A) is to define a new partnership for planning, environmental review, design and construction of a blended system in the peninsula rail corridor.

### **Discussion**

The blended system is comprised of several interrelated capital projects. The early investment projects include the Caltrain Electrification Infrastructure and advanced signal system projects (commonly known as CBOSS which includes Positive Train Control (PTC)). The remaining additive inter-related capital projects include the San Francisco Downtown Extension (DTX) project, San Jose Diridon Station, Millbrae BART/Caltrain Station and Core Capacity upgrades to stations, tunnels, bridges, passing tracks (to be determined) and other track modifications and rail crossing improvements including grade separations (to be determined).

The MOU is specific to project investments that upgrade existing rail service and prepare for a future high-speed rail project that is limited to infrastructure necessary to support a blended system, which will primarily be a two-track system largely within existing right of way shared by both Caltrain and high-speed rail as well as other passenger and freight services.

The following principles, consistent with and/or included in the referenced documents above are among the points of agreement that have been included in the final revised MOU and are being recommended for approval as part of the new/updated CHSRA and JPB agreement.

- The purpose of this agreement is to establish a new partnership between the parties for the planning, environmental review, design and ultimate construction of improvements in the Peninsula Rail Corridor that will accommodate and serve both PCJPB commuter rail service and CHSRA high speed rail service predicated upon the Blended System as

defined in the CHSRA 2012 amended Business Plan and in the above referenced 2012 Nine-Party MOU.

- The Blended System must be designed, constructed and operated in a manner fully consistent with the operational requirements of the JPB commuter rail system and the future operation of the high-speed rail Blended System.
- As stipulated in the 2012 Nine-Party MTC MOU, the parties will jointly support and pursue the implementation of a statewide high-speed rail system predicated upon the Blended System.
- Implementation of Corridor Electrification together with associated rolling stock acquisition and construction of CBOSS constitute essential early investment projects in the Peninsula Rail Corridor that will have independent utility while at the same time will be of tangible benefit to future development and operation of the High Speed Rail Blended System.
- The JPB, as the owner of the Peninsula Rail Corridor and operator of the commuter rail system thereon, will implement the Early Investment Projects.
- The Early Investment Projects will be planned, designed and constructed in a way that respects community partners and stakeholders and accommodates the operation of future High Speed Rail service in the Peninsula Corridor.

### **Next Steps and Project Timetable**

JPB has undertaken a scoping process for the environmental review of the project. The Environmental Impact Report has an anticipated completion date of August 2014. Ultimately, JPB plans to have the project completed and operations commenced by 2019. Once completed, the service will operate at six trains per hour, per direction, during peak travel periods.

### **Recommendations**

Staff has received input from the corridor city/county partners as well as the 9-party MOU signatories on the update of the existing JPB/CHSRA MOU and Agreement. Much of the input gathered from development of the 9-party MOU is relevant and has been considered in developing the final revised MOU.

Additional input has been gathered at city council and other policymaker committee meetings. Key venues for dialogue have included the Caltrain Modernization Local Policy Maker Group meeting held in both December 2012 and January 2013, as well as the City/County Stakeholder Coordination meeting held in December 2012.

Peninsula Corridor JPB Board approved the MOU on March 7, 2013.

Authority staff recommends approval of the final revised MOU with the Peninsula Corridor JPB.

Attachments:

- California High-Speed Rail Authority/Peninsula Corridor Joint Powers Board Memorandum of Understanding
- Resolution # HSRA 13-02